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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,913	12/22/1999	STEFAN PETERSSON	64645-1000	5523

27045 7590 06/10/2004

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

EXAMINER

MEHRA, INDER P

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/469,913

Applicant(s)

PETERSSON ET AL.

Examiner

Inder P Mehra

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to application dated: 12/22/99

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 6-13, 17-19, 23-24, 28-32, 36-37, 41-42, and 46-49 are rejected under 35 U.S.C. 103(a) as being obvious over **Forslow** (US Patent No. 6,608,832) in view of **Youssefzadeh et al** (US Patent No. 6,198,921), hereinafter, Youssefzadeh '921).

For claims 1, 12, 18, 24, 32, 37 and 42, Forslow discloses a method of providing multiple quality of service classes to subscribers in a network, refer to col. 9 lines 54-60, the method comprising the steps of:

- determining a subscriber's quality of service information using a database containing the quality of service information for each subscriber that has subscribed to one of the multiple quality of service classes, refer to "specify on an individual application flow basis a requested quality of service, refer to abstract, "provide a certain particular communication service *with a requested quality* (*determined subscriber's quality of service*) refer to col. 4 lines 61-62;
- storing the subscriber's quality of service information in a visitor location register where the subscriber is currently registered, refer to " VLR44 requests

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and receives data—and stores it”, col. 3 lines 5-7 , col. 2 line 66 through col. 3 line 5.

Forslow does not disclose expressly, “determining a subscriber’s quality of service information using a database containing the quality of service information for each subscriber”, however, Forslow discloses “specify on an individual application flow basis a requested quality of service”;

Youssefzadeh’921 discloses “determining a subscriber’s quality of service information using a database containing the quality of service information for each subscriber”, refer to “monitoring, controlling and management functions-----subscriber database downloads, call detail records----, fault reporting data and quality of service information is communicated to the network management system”, refer to col. 15 lines 55-67.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of determining a subscriber’s QOS information by using database. This capability can be implemented by combining the database as taught by Youssefzadeh’921 . The suggestion/motivation to do so would have been to provide the subscriber’s desired quality of service requirements.

For claims 2, 13 and 19, Forslow discloses, “using the subscriber’s quality of service information stored in the VLR during a call set up to determine a call transmission quality for the subscriber, refer to col. 3 lines 5-7 , col. 2 line 66 through col. 3 line 5.

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For claims 6, 17, 23, 28, 36, 41 and 46, Forslow discloses, wherein quality of service class provides a different level of call security, refer to col. 15 lines 12-20, lines 28-31 and col. 16 lines 25-28.

For claims 7, 29 and 47, Forslow discloses, "where the network is a asynchronous transfer mode network, refer to col. 4 lines 23-27, col. 4 line 39-41 and col. 16 lines 25-28.

For claims 8, 30 and 48, Forslow discloses, " wherein the network is a mobile access network and the visitor location register is integrated in a mobile switching center, refer to fig. 2, and refer to col. 2 lines 64-67.

For claims 9, 31 and 49, Forslow discloses all the limitations of subject matter, as in claims 1, 12, 18, 24, 32 and 42 above, with the exception of the following limitations, which are disclosed by Youssefzadeh '921, as referred to below:

- wherein the network is a satellite network¹⁰, refer to fig. 1, col. 7 lines 62-65 and the visitor location register³⁶, refer to fig. 1, col. 9 lines 40-45, is integrated in a network control center (network Management System³⁰ in fig. 1, col. 9 lines 30-40.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of visitor location register integrated in Network Control Center in satellite network. This capability can be implemented by combining the visitor location register integrated in Network Control Center in satellite network as taught by

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Youssefzadeh '921. The suggestion/motivation to do so would have been to provide the subscriber's desired quality of service requirements.

For claims 10 and 11, Forslow discloses the following limitations:

- wherein the subscriber accesses the network with a mobile terminal, **as recited by claim 10**, refer to fig. 2;
- wherein the subscriber accesses the network through a fixed access terminal, **as recited by claim 11**, refer to fixed terminal 18 in fig. 1, refer to col. 2 lines 26-29 and 38 fig. 2; **refer to col. 4 lines 4-6**

4. Claims 3-5, 14-16, 20-22, 25-27, 33-35, 38-40 and 43-45 are rejected under 35 U.S.C. 103(a) as being obvious over **Forslow** in view of **Youssefzadeh et al**, hereinafter, **Youssefzadeh '921**), as in claims 1, 12, 18, 24, 32 and 42 above, and further, in view of **Wang et al (US Patent No. 6,606,311)**, hereinafter, **Wang**.

For claims 3-5, 14-16, 20-22, 25-27, 33-35, 38-40 and 43-45, Forslow in view of Youssefzadeh '921 disclose all the limitations of subject matter with the exception of the following limitations, which are disclosed by Wang, as referred to below:

- the subscriber's quality of service information corresponds to default quality of service class when the subscriber is not listed, **as taught by claims 3, 14, 20, 25, 33, 38 and 43** (a default, and temporary, class---created---for packet data flows that do not have a predefined class, refer to col. 5 lines 5-10) in the database (database of user profiles that include class of services for each

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customer that accesses the system, refer to col. 4 lines 32-34, database to associate the class, refer to col. 5 lines 56-57).

- wherein each quality of service class provides a different transmission bandwidth, *as taught by claims 4, 15, 21, 26, 34, 39, and 44*; refer to col. 1 lines 28-34, col. 2 lines 45-57, col. 6 lines 20-27 and lines 40-67.
- wherein each quality of service class provides a different call routing priority, *as taught by claims 5, 16, 23, 28, 36, 41, and 46*, refer to col. 1 lines 28-34, col. 2 lines 18-20, col. 6 lines 24-27 and col. 6 lines 40-42.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capabilities of a subscriber's QOS information corresponding to default quality of service class when subscriber not being in database; bandwidth; and a different call routing priority. This capability can be implemented by combining the database, bandwidth and priority as taught by Youssefzadeh'921. The suggestion/motivation to do so would have been to provide the subscriber's desired quality of service requirements.

Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Havinis et al (US Patent No. 6,104,931) discloses a telecommunication system and method for defining location services in a simplified manner.
- Korpela et al (US Patent No. 6,510,146) discloses method for handover and cell re-selection.

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Conclusion

6. Any enquiry concerning this communication should be directed to Inder Mehra whose telephone number is (703) 305-1985. The examiner can be normally reached on Monday through Friday from 8:30AM to 5:00 PM.

If attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Seema Rao , can be reached on (703) 308-5463. Any enquiry of a general nature of relating to the status of this application or processing should be directed to the group receptionist whose telephone number is (703) 305-4700.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Or faxed to (703) 872-9306

Hand -delivered responses should be brought to Crystal Park II, 2121 Crystal drive,
Arlington, VA, sixth floor (Receptionist).

Inder Mehra
Inder Mehra

June 4, 2004

DANTON
PRIMARY EXAMINER